## PATENT COOPERATION TREATY

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TO: OLD ARNOLD AMSTER, ROTHSTEIN & EBENSTEIN LLP SOFARK AVENUE NEW YORK, NY 10016  Applicant' s or agent's file reference Sep 6700-793  Applicant' s or agent's file reference Sep 6700-793  Applicant' s or agent's file reference Sep 6700-793  International application No. International filing date (day/month/year) International paper of the sep 12 of	rom the		T DOT				
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Applicant' s or agent's file reference  96700939  International application No.  International filing date (day/month/year)  International application No.  PCT/US04/40852  International Patent Classification (IPC) or both national classification and IPC  IPC(T): A61K 38/00 and US C1: 514/12  Applicant  ALBERT EINSTEIN COLLEGE OF MEDICINE OF YESHIVA U  1. This opinion contains indications relating to the following items:  Box No. I Basis of the opinion  Box No. II Priority  Box No. II Non-establishment of opinion with regard to novelty, inventive step and industrial applicability: cliations and explanations supporting such statement  Box No. VI Certain defects in the international application  Box No. VII Certain defects in the international application  2. FURTHER ACTION  If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ('IPEA') except that this does not apply where the applicant chooses an International Preliminary Examining Authority ('IPEA') except that this does not apply where the applicant chooses an International Preliminary Examining Authority ('IPEA') except that this does not apply where the applicant chooses an International Preliminary Examining Authority ('IPEA') except that this does not apply where the applicant chooses an International Preliminary Examining Authority ('IPEA') except that this does not apply where the applicant chooses an International Preliminary Examining Authority ('IPEA') except that this does not apply where the applicant chooses an International Preliminary Examining Authority ('IPEA') except that this does not apply where the applicant thooses an International Preliminary Examining Authority ('IPEA') except that this does not apply where the applicant to the IPEA a written opinions of this International Searching Authority will not be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written opinions of this International			Date of mailing	N C A D D 2005			
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International Preliminary Examining Authority (12) Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 60. 1813(8) that written opinions of this International Searching Authority will not be so considered.  If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.  For further options, see Form PCT/ISA/220.  Name and mailing address of the ISA/ US  Mail Stop PCT, Atn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450  Telephone No. (571) 272-1600	2. FURTHER ACTION		da shie oninion Wi	Il he considered to be a written opinion of the			
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For further options, see Form PCT/ISA/220.  3. For further details, see notes to Form PCT/ISA/220.  Name and mailing address of the ISA/ US  Mail Stop PCT, Ann: ISA/US  Commissioner for Patents  P.O. Box 1450  Alexandria, Virginia 22313-1450  Foosimile No. (703) 305-3230  Telephone No. (571) 272-1600	If this opinion is, as provide	her where appropriate, with	amendments, before	the expiration of 3 months from the date of			
For further options, see Form PCT/ISA/220.  3. For further details, see notes to Form PCT/ISA/220.  Name and mailing address of the ISA/ US  Mail Stop PCT, Atn: ISA/US  Commissioner for Patents  P.O. Box 1450  Alexandria, Virginia 22313-1450  Facsimile No. (703) 305-3230  Telephone No. (571) 272-1600	mailing of Form PCT/ISA/2	20 or before the expiration of	22 months from the p	priority date, whichever expires fater.			
3. For further details, see notes to Form PCT/ISA/220.  Name and mailing address of the ISA/ US  Mail Stop PCT, Ann: ISA/US  Commissioner for Patents  P.O. Box 1450  Alexandria, Virginia 22313-1450  Facsimile No. (703) 305-3230  Authorized officer  Marcela M Cordero Garcia  Telephone No. (571) 272-1600	For further entions see For	m PCT/ISA/220.					
Name and mailing address of the ISA/ US  Mail Stop PCT, Atn.: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450  Feesimile No. (703) 305-3230  Authorized officer  Marcela M Cordero Garcia  Telephone No. (571) 272-1600	FOR furtilet options, see I of	***		•			
Name and mailing address of the ISA/ US  Mail Stop PCT, Atn.: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450  Feesimile No. (703) 305-3230  Authorized officer  Marcela M Cordero Garcia  Telephone No. (571) 272-1600		s to Form PCT/ISA/220.		1			
Name and mailing address of the 1977 03  Mail Stop PCT, Ann. ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450  Faccimile No. (703) 305-3230  Marcela M Cordero Garcia  Telephone No. (571) 272-1600	3. For further details, see notes	, 10 1 01111 1 0 1, 101 1 1 1 1 1		Maria Matri			
Mail Stop PCT, Atn: ISA/OS Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450  Faccimile No. (703) 305-3230  Marcela M Coldeto Galeta Telephone No. (571) 272-1600	Name and mailing address of the	: ISA/ US					
Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450  Faccipile No. (703) 305-3230  Telephone No. (571) 272-1600	Mail Stop PCT, Attn: 154	1/03	Marcela M Co	ordero Garcia			
Faccipile No. (703) 305-3230	Commissioner for Patents	i	1				
Fassimile No. (703) 305-3230	P.O. Box 1450	13-1450	Telephone No	. (571) 272-1600			
Form PCT/ISA/237 (cover sheet) (January 2004)	Faccimile No. (703) 305-3230						
	Form PCT/ISA/237 (cover sheet)	(January 2004)					

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/40852

Box No. I Basis of this opinion
1. With regard to the language, this opinion has been established on the basis of the international application in the language in which
it was filed, unless otherwise indicated under this item.  This opinion has been established on the basis of a translation from the original language into the following language, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
which is the language of a translation furnished for the purposes of international control of the language of a translation furnished for the purposes of international control of the language of a translation furnished for the purposes of international control of the language of a translation furnished for the purposes of international control of the language of a translation furnished for the purposes of international control of the language
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
a. type of material
a sequence listing
table(s) related to the sequence listing
b. format of material
in written format
in computer readable form
c. time of filing/furnishing
contained in international application as filed.
filed together with the international application in computer readable form.
furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:
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## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/US04/40852

	AL SEARCHING AC					
Box No. V Reasoned state applicability;	tement under Rule 43 citations and explanat	bis.1(a)(i	) with regard orting such s	l to novelty, inv	rentive step or inc	lustrial
1. Statement						
Novelty (N)		Claims	1-71			YES
Novelly (11)			NONE			NO
		<b>~:</b> :	1101/E			YES
Inventive step (I	S)					NO
		0142115	* '.			
Industrial applic	ability (IA)	Claims	1-71			YES
		Claims	NONE			NO
2. Citations and explanation Claims 1-71 lack an inventive 2002) in view of Vincent et al induced or free fatty acid-indupharmaceutically acceptable or induced reactive oxygen form Deacon et al. do not specifical Vincent et al. teach that increapage 379, paragraph 1). Therefore inhibiting reactive obeneficially taught by Deacon It would have been obvious to working conditions within suc oxygen indicators, combining teachings provided by Deacon and routine optimization that it Thus, the invention as a whole Claims 1-71 meet the criterial can be made or used in industrial.	step under PCT Article 3 (Ann. N. Y. Acad. Sci, iced reactive oxygen form omposition comprising Gation in the cell (see, e.g. Illy teach inhibiting reactive ased concentrations of gluoxygen formation is consite al.  one of ordinary skill in the method of inhibiting hy with other treatments and et al. and Vincent et al. Is well within the purview e is prima facie obvious of set out in PCT Article 33	2002). De nation in a la LP-1 (9-36 or, abstract a ve oxygen facose rapidl dered an in the art at the perglycem I/or utilizin. These type of the skil over the referente in the reference in the reference in the reference in the reference in the skil over the reference in the ref	acon et al. bent mammalian cell ) sufficient to in und page E878). Formation by ad y induce productrinsic effect of e time the inversia (i.e., reducing analogs of Ges of adjustmen led artisan. erence, especia	I, the method comnhibit the hypergly iministration of Glaction of reactive of the anti-hypergly ntion was made tong blood glucose) (LP-1-(9-36)) based as are deemed merally in the absence	prising treating the operating the appreciation of initially prising treating the operation of the prising treating the operation of evidence to the control of the control	cell with a ree fatty acid- (S) (see, e.g.,  LP-1-(9-36)  Inventional at reactive eneficial cious selection ontrary.